

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JORDAN R. LYBARGER,

Defendant.

4:15CR3125

ORDER

Counsel have jointly moved to continue the trial currently set for January 25, 2016. (Filing No. 20), and set the case for a status hearing. As explained, the parties are currently engaged in plea discussions. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Joint motion to continue, (filing no. 20), is granted. This case is removed from the trial docket at the request of the defendant.
- 2) A status hearing is set to commence before the undersigned magistrate judge in Courtroom 2, United States Courthouse, Lincoln, Nebraska, at 2:00 p.m. on January 29, 2016. The defendant, his counsel, and counsel for the government shall appear for the hearing.
- 3) Based upon the showing set forth in the motion and the representations of counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the additional time arising as a result of the granting of the motion, the time between today's date and January 29, 2016, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7).

January 13, 2016.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge